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FOR IMMEDIATE RELEASE:

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## **FCC ORDER TO IMPACT REVENUES OF LOCAL GOVERNMENTS**

5G & IoT Fuels Fight over City and County Right-of- Ways. Cities and Counties should be aware that a recent FCC Order gives more power and authority to cell phone providers. This action would possibly tie the hand of local governments and do away with the millions of dollars that flow through cities across America. More than 81 cities and counties have filed appeals of the FCC small cell order in the 9<sup>th</sup> Circuit, along with another 17 organizations across the country. Despite the FCC order, Senator Arthur Orr and Representative Roderick Scott are expected to introduce bills aimed at establishing even more rules for small cell deployments and amending existing statutes to additionally limit local governments' ability to regulate small cell deployments. Senator Orr's bill in the 2019 secession was widely criticized by local governments across the state.

- Alabama Local Governments should take action now and vigorously oppose Senator Orr's bill to preempt local jurisdictions from enacting sensible laws to protect their rights-of-way in the upcoming legislative session
- Local Governments should protect their constitutional rights to collect reasonable rent for the use of public rights-of-ways
- Zoning regulations and other issues should be reviewed and enacted regarding antenna design, location and spacing, additional pole and equipment aesthetic requirements.
- Under the FCC's framework, if a carrier files a lawsuit challenging the fees imposed by a local government, the burden would be on the local government to demonstrate that the amount is a reasonable approximation of its costs and that its costs are reasonable.

**Cities and Counties Welcome 5G, but oppose preemption laws that limit local ROW Control**

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For additional information on this, please contact Lucien Blankenship at (205) 458-1145